

GENERAL AND REVENUE SECRETARIAT.

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1913.  
( *Muzrai* )

File No. 293-13

Serial Nos. 1 & 2

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Papers Filed.

Month *January 14*

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SUBJECT,

*Dispute regarding the Succession to the High Priestship of Shobala Mutt.*

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PREVIOUS REFERENCES

*N 7 706-09*

LATER REFERENCES

*[Handwritten signature]*

*M. Anandaya Mudra*  
*Recorder 11/2/14*

## GENERAL AND REVENUE SECRETARIAT.

(Muzrai)

## NOTES.

File No. 293  
1913

## FILE HEADING.

Dispute regarding the Succession to the High Priestship of Sri Akobala matt.

From

The General Secretaries, Sri Akobala matt Siskya Sabha,

No. Letter Dated 12-12-13 Received

Diary No. 1132

Enclos. 1

Spate Copies.

Serial No. 1

## BRIEF ABSTRACT OF LETTER.

Pray that pending disposal of the Suit filed by Dewan Bahadur T. T. Rangacharya, Retired Distt and Sessions Judge and 6 other gentlemen in the Sub-judge's Court at Mysore, the appointment of Brahma Sri Ayyamasharia

## NOTES AND ORDERS.

as future Priest of the matt may not be recognized by the Mysore Govt. -

Muz. 9 no 706-08 containing the Govt order recognizing the nomination of Brahma Sri Ayyamasharia as the ~~future~~ future Successor.

21

Revenue  
ariat.      Muz File No. 293      of 1913.

Serial  
No.

to the High Priestship of Sri Akobala matt,  
is herewith submitted

The general Secretaries of the Sishya  
Sabha say that a suit has been instituted  
in the Sub Judge's Court at Negapatam  
for a declaration that the matt is "Sishyashin",  
that the geer cannot appoint his successor  
independently of the disciples, that the  
appointment of Karakurichi Ayyamachariar  
as future successor is invalid as it is  
in contravention of the usage of the matt.  
They further state that the court has  
issued a temporary injunction restraining  
the geer from handing over the matt and  
its properties to Ayyamachariar and the  
latter from taking possession of the same,  
and that the suit stands adjourned to  
7<sup>th</sup> February 1914. They pray that pending  
disposal of the suit, the appointment of  
Brahma Sri Ayyamachariar as future  
successor of the present geer may not  
be recognized by the Mysore Govt.

Submitted for orders

27-12-1913.

The nomination of Sri  
Ayyamachariar alias Venkata -  
krishnamachariar as the future successor  
to the High Priestship of the Sri Akobala

1 and Revenue  
Secretariat.

Muz File No. 293 of 1913.

Serial  
No.

Matt at Tiruwallur in the Chingulput District has been approved by H. Highness in their order of 4/7/13 and communicated to the Matt & the Dy. Commissioner as such nothing can be done now in the matter. The disposal of the suit in question may be awaited.

Submitted with references as called for by the Under Secy on the petition

amr

29/12/13

Subd to 1st Commr

No action appears to be called for at this stage. The Govt. have recognised the nomination but if the British Courts should declare that the nomination is invalid, the Govt. may revise their order or at all events decline to recognise the actual secession. It appears to be sufficient simply to acknowledge the letter of the Secretary of the Mysore Sabha

he

29/12/13

Submitted with

Acknowledge and say that as the Mysore Sabha has already passed an order in the matter, they do not consider

July File No. 293 of 1913-14

Serial  
No.it necessary to revise it at  
this stage.

8/1/14

2/3  
12/1

Brill.

12/1/14

Pulaski with a diff. forable

W(115)

17/1/14

am  
17/1/14

Affd

12/1

19/1/14

2 To The joint Secretaries  
of Sri Ahobala matt.No 1872 of 26.1.14 intimates that  
Govt. do not consider it necessary to  
revise their order.

to be  
neral  
, Sri Ahobala  
s Sabha, Chittoor,  
Chittoor District (Madras  
Presidency).

DIARY No. 1132

|                       |
|-----------------------|
| 19/3-19/4             |
| SECTION <i>Musrai</i> |
| FILE NO. 293-13       |
| Sub-Section 1         |

(1)

From

M.R.Ry. C. Rajagopalachariar Avl. B.A.B.L.,

Vakil, Chittoor (Chittoor district).

" T. Kothandaramaiyengar Avl. B.A. M.L.,

Vakil, Tanjore.

GENERAL SECRETARIES, SRI AHOBALA MUTT SISHYA SABHA

Dated Chittoor, 12 December 1913.

THE CHIEF SECRETARY TO

THE GOVERNMENT OF MYSORE.

*Bangalore City.*

Sir,

We have the honour to address you as regards the Ahobalam Mutt, the Jeer of which is the Manager for the time being of vast properties endowed for the support of Ahobalam Sri Lakshmi Narasimha Swami. Some of these endowments are in the Mysore State.

2. A suit has been instituted in the Court of the Sub-ordinate Judge, Negapatam, Tanjore district, <sup>by</sup> Dewan Bahadur T.T. Rangacharya B.A.B.L., Retired District and Sessions Judge, and six other gentlemen for a declaration that the Mutt is "Sishyadinam", that the Jeer cannot appoint his successor independently of the disciples, that he cannot make a will and that the appointment of Karakurichi Ayyamachariar alias Venkatakrishnamachariyar (who, since the institution of the suit, has assumed the name of Sri Ranganatha Parankusa Yathindra Mahadesikar) is invalid as it is in contravention of the usage of the mutt. Copies of the plaint and of the written statement

*Put up file relating  
the recognition of  
Venkateswari Ayyamachari*

*26.12.13* To

of the first defendant (the Jeer) are enclosed. The Subordinate Judge has issued a temporary injunction restraining inter alia the Jeer from handing over the Mutt and its properties to the Second defendant and the second defendant from taking possession of the same. The suit stands adjourned to 7th February 1914, the temporary injunction continuing in force.

3. In these circumstances, we have the honour to request that till the determination of the suit, you will be so good as to advise the Government of His Highness the Maharaja not to recognise the appointment of the second defendant as validly made. The suit has been instituted in the interests of the Mutt, the traditions of which are so dear to its disciples, after all conciliatory measures have failed, and we trust that the Government of His Highness the Maharaja whose interest in the better management of religious institutions has been testified to by the passing of the Muzrai Regulation will accede to our request.

WE HAVE THE HONOUR TO REMAIN  
 Sir,  
 YOUR MOST OBEDIENT SERVANTS,

*V. K. Thandapani*

14-12-1913

IN THE COURT OF THE SUBORDINATE JUDGE,  
NEGAPATAM.

O. S. No. of 1913.

- |                                                |   |                    |
|------------------------------------------------|---|--------------------|
| 1. Dewan Bahadur T.T. Rangachariar, B.A., B.L. | } | <i>Plaintiffs.</i> |
| 2. R. Sreenivasa Aiyengar, B.A., B.L.          |   |                    |
| 3. M. Narasimhachariar.                        |   |                    |
| 4. C. Rajagopalachariar, B.A., B.L.            |   |                    |
| 5. T. V. Sreenivasa Aiyengar, B.A., B.L.       |   |                    |
| 6. B. T. Seshadriachariar.                     |   |                    |
| 7. S. Raghava Aiyengar, D. A.                  |   |                    |

*Versus*

- |                                                                 |   |                    |
|-----------------------------------------------------------------|---|--------------------|
| 1. Sri Van Satagopa Sri Parankusa Yathintra Mahadesigan         | } | <i>Defendants.</i> |
| 2. Karakurichi Venkatakrishnachariar <i>alias</i> Ayyamachariar |   |                    |
| 3. Chakravarti Sreenivasachariar                                |   |                    |

The Plaintiffs above named beg to state as follows under.

1. Dewan Bahadur T. T. Rungachariar, B.A., B.L., 1st Defendant, is the son of T. T. Raghavachariar, aged 58, Retired District Judge, residing at Tiruvellore, Chingleput District.

R. Sreenivasa Aiyengar, B.A., B.L., the 2nd Defendant, is the son of Ramanuja Aiyengar, aged about 42, Government Pleader, Cuddalore New Town, South Arcot District.

M. Narasimhachariar, the 3rd Defendant, is the son of Vidwan Madabushi Venkatachariar, aged 50, Pleader, Gudivada, Kristna District.

C. Rajagopalachariar, B.A., B.L., the 4th Defendant, is the son of Ramaswami Iyengar, aged about 40, Pleader, Chittoor, N. Arcot.

T. V. Sreenivasa Aiyengar, B.A., B.L., the 5th Defendant, is the son of Varada Aiyengar, aged about 39, High Court Vakıl, Kumbakonam.

B. T. Seshadriachariar, the 6th Defendant, is the son of , aged about 40, Mirasidar, Balur Village, North Arcot District.

S. Raghava Aiyengar, D.A., the 7th Defendant, is the son of Sreenivasa Aiyengar, aged 40, Agriculture Instructor, Pappankulam Village, Ambasamudram Taluk, Tinnevely District.

The plaintiffs are Sri Vaishnava Brahmins and disciples of Sri Ahobilam Mutt. Their address for the service of all notices and process is that of M.R.Ry. B.S. Nataraja Sastriar Avl., B.A., B.L., High Court Vakıl, Negapatam,

2. (1) Sri Van Satagopa Sri Parankusa Yathindra Mahadesigan, the 1st Defendant, above named is the present Jeer and trustee of the Ahobilam Mutt, aged 75 and resides at Mannargudi, within the jurisdiction of this Court.

(2) Karakurichi Venkata Krishnamachariar *alias* Ayyamachariar, the 2nd Defendant, is the son of Varadachariar, aged about 62, Sri Vaishnava Brahmin, residing in Karakurichi Village, Ambasamudram Taluk, Tinnevely, now residing at Mannargudi with the 1st Defendant.

(3) Chakravarti Sreenivasachariar, the 3rd Defendant, is the son, of Chakravarti Venkatachariar, aged about 38, Sri Vaishnava Brahmin, residing at Big Street, Kumbakonam, Tanjore District.

3 The Ahobilam Mutt, is an ancient, religious and charitable institution founded more than 500 years ago for inculcating the principles of the Visishtadvaitic school of Vedanta philosophy and for imparting spiritual instruction to the disciples of the Mutt who are Sri Vaishnavas. It has a large number of disciples, throughout the Madras Presidency as well as in the province of Mysore, Hyderabad and elsewhere.

4 The presiding deity of the Mutt is Sri Lakshmi Narasimhaswami of the Ahobilam temple, in the Kurnool District. The said Lakshmi Narasimhaswami owns extensive moveable and immoveable properties in several districts of the Madras Presidency and in other places.

5 According to immemorial usage, the Mutt is managed by a Jeer who is an ascetic who has renounced the world and who is chosen from among the disciples of the Mutt for his great piety and learning and who is held in great veneration by all Vaishnavites, on account of his position as the foremost religious preceptor among them. The Jeer is *ex-officio*, the Trustee of the said Ahobilam temple, and the tradition runs that Sri Adri V in Satakopa Swami the first Jeer of this Mutt was given Sanyasam directly by God Sri Lakshmi Narasimha under whose command the Mutt was founded for the spiritual benefit of the disciples. As such Trustee, the Jeer is in possession and management of all the moveable and immoveable properties, belonging to the said Sri Lakshmi Narasimhaswami and to the various pagodas attached to the said Mutt.

6. The Plaintiffs and the other disciples of the Mutt are deeply interested in the due administration of its temporal and spiritual affairs, the Mutt being according to usage *Sishyathinam*, that is, under the control of the disciples. The body of disciples, being the beneficiaries for whose spiritual and temporal benefit the Mutt has been founded, are by the immemorial usage governing the Mutt, entitled as such to select a successor to the Jeership of the Mutt whenever there is, or is likely to be a vacancy in the said office.

7 According to the immemorial usage of the Mutt, whenever a successor has to be appointed during the lifetime of the Jeer, such appointment is made in the manner following, *that is to say*, notice is given at the instance of the Jeer or of the disciples of the Mutt, calling for a general meeting of all the disciples at the place where Sri Lakshmi Narasimhaswami is for the time being located, for the purpose of electing a successor. The disciples who in response thereto assemble together at such place, either unanimously or by a majority, select a fit and proper person for the office among the disciples of the Mutt and announce their choice to the Jeer. The Jeer approves of such choice and makes the person so selected a Sanyasi and installs him as Jeer by adopting the usual ceremonies observed on such occasions in accordance with the usage of the Mutt.

8 If no such appointment takes place during the lifetime of the Jeer as aforesaid, it has been the custom of the prominent disciples present at the place where Sri Lakshmi Narasimhaswami, the presiding deity of the Mutt, is for the time being located, to convene a meeting of all the disciples at such place and the disciples so assembled together select, from among the disciples, a fit and proper person as successor who thereupon becomes a Sanyasi and the lawful Jeer of the Mutt.

9 The plaintiffs state that according to the usage of the Mutt, a Jeer can be appointed only in one of the two modes aforesaid, and that any appointment not so made is null and void and incapable of conferring on the appointee the status of Jeer of the Mutt. The Jeer has no right indepen-

dently of the disciples, to appoint a successor to the office of the Jeership to the Mutt.

10. While such has been the immemorial and well-recognised custom of the Mutt, the late Sri Srinivasa Satagopaswami, the 38th Jeer of the Mutt and predecessor of the 1st Defendant, secretly and without the knowledge of the disciples, left a will dated 7th May 1909, whereby he directed that the 1st Defendant should be the successor. After the death of the said Sri Srinivasa Satagopaswami, the disciples who assembled together at Narasimhapuram, where Sri Lakshmi Narasimhaswami was then located, protested against the validity of the appointment of the 1st Defendant under the said will. But as the 1st Defendant was a pious and devout person the disciples appointed him as Jeer, ignoring his claim under the said will. The first Defendant accepted such appointment by the disciples, became a Sanyasi and the lawful Jeer of the Mutt.

11. In or about the end of September 1910 the 1st Defendant became seriously unwell and several of the prominent disciples were anxious to have a successor forthwith appointed during the lifetime of the 1st Defendant as otherwise the interests of the Mutt would suffer. Accordingly in the beginning of October 1910, a meeting of the disciples was duly held at Narasimhapuram, a village in the Kumbakonam Taluk and the disciples assembled, unanimously selected three persons, from among the disciples, as fit to hold the office of the Jeer and informed the 1st Defendant of the said selection and requested him to instal any one of the three at his option as the next Jeer of the Mutt. Similar meetings were also held on subsequent occasions at Tanjore and other places where similar resolutions were passed selecting certain fit persons for the office and the 1st Defendant was requested to instal one of them as Jeer. The 1st Defendant, however, promised to consider the request so made and do what was proper in accordance with the usage of the Mutt.

12. In or about January 1913 the 1st Defendant again became seriously ill and the Plaintiffs learn that he has thereupon executed on or about 19th January 1913 a will, which has been registered, by which he has unlawfully directed that the 2nd Defendant should be the successor to the officer of the Jeer and after him the 3rd Defendant. The 1st Defendant on the following day took the preliminary steps for making the 2nd Defendant a Sanyasi and has initiated him in the Presha Mantram and the 2nd Defendant has ever since been residing in the Mutt at Mannargudi.

13. The 4th Plaintiff and several other disciples, as soon as they learnt of the said act of the 1st Defendant, waited upon him in February 1913 at Mannargudi and protested against his attempting by will to nominate a successor to the Mutt independently of the disciples and thereby ignoring the rights of the disciples in this behalf. The 1st Defendant replied, that though he has not nominated the fittest among the candidates chosen by the disciples, he still desired that they should approve of the nomination he has made of the 2nd Defendant.

14. Plaintiffs charge that the 1st Defendant has no right either by will or otherwise to appoint a successor independently of the disciples and the nomination by him of Defendants 2 and 3 as successors by the will afore-said is null and void, and not binding on the disciples of the Mutt as being in violation of their rights and of the usage of the institution.

15. The Plaintiffs further state that, as the 1st Defendant is contemplating the completion of the appointment of the 2nd Defendant as Jeer by causing Jeevasradham and other ceremonies to be performed and is threatening to do so and make over to the 2nd Defendant possession of

the Mutt and its properties, it is necessary that permanent injunction should be issued restraining the 1st Defendant from further proceeding with the appointment and of the installation of the 2nd Defendant or of the 3rd Defendant as his successor and delivering possession of the Mutt to either of them and Defendants 2 and 3 from being appointed and installed as Jeer and from taking possession of the same, except in accordance with the usage of the Mutt aforesaid.

16. Plaintiffs state that as the disciples of the Mutt are too numerous to join as Plaintiffs and are scattered throughout the Presidency they crave permission to institute the suit on behalf of and for the benefit of themselves and all other disciples of the Mutt.

The cause of action for this suit arose at Mannargudi within the jurisdiction of this Court from and after the 19th January 1913.

18. The Plaintiffs estimate the value of the relief sought at the sum of Rs. 5,100 for purposes of jurisdiction and court fees.

19. The Plaintiffs therefore pray for judgment as follows :—

1. That it be declared

(a) that in accordance with immemorial usage and custom of the Ahobilam Mutt, the right to select the successor to the Jeership of the Mutt is vested in the whole body of disciples of the Mutt

(b) that during the lifetime of the Jeer, the said right is exercised by the disciples who attend and are present at the place, where the presiding deity is for the time being located, after reasonable notice calling upon the disciples to attend for the said purpose in accordance with the usage set out in para 7 above

(c) that the Jeer should instal the person selected or nominated by the disciples as aforesaid and no other, in accordance with the usage of the Mutt.

2. That it be declared that

(a) the Jeer of the Ahobilam Mutt has no right either by will or otherwise to appoint a successor to the office of Jeer, independently of the disciples and

(b) that the appointment by the 1st Defendant of Defendants 2 and 3 as per his will dated 19th January 1913 or thereabouts is null and void and not binding on the Mutt or the disciples thereof.

3. That an injunction be issued restraining the 1st Defendant from proceeding with the appointment and installation of the 2nd Defendant or of the 3rd Defendant or any other person as his successor in disregard of the usage of the Mutt in this behalf as aforesaid; or from delivering possession of the Mutt or its properties to them or either of them; and against defendants 2 and 3 restraining them from entering upon and taking possession of the office or of the Mutt and its properties.

4. For costs and for such further or other relief as to this Court may seem fit.

Value of the injunction—Rs. 5,100-0-0

Stamp duty thereon „ 285-0-0



**In the Court of the Subordinate Judge  
at Megapatam.**

**O. S. No. 94 of 1913.**

BETWEEN

DEWAN BAHADUR T. T. RENGACHARIAR & 6 others.. *Plaintiffs.*

AND

SRIVAN SATAGOPA SREE PARANKUSA YATINDRA

MAHADESIGAN and 2 others .. ... *Defendants.*

The written statement of Srivan Satagopa Sree Parankusa Yatindra Mahadesigan, the 1st Defendant herein, is as follows :—

1. This Defendant denies the allegations in the plaint not herein expressly admitted and puts the Plaintiffs to proof of the same.

2. The plaint discloses no cause of action and on the averments in the plaint, the Plaintiffs are not legally entitled to maintain the suit.

3. As the title of the 1st Defendant is admitted by the Plaintiffs, on the allegations contained in paras. 7 and 8 of the plaint, the Plaintiffs have yet no cause of action and the suit is premature.

4. The plaint contains no allegations that the Plaintiffs are entitled to any legal character ; nor have they any right to any properties ; and the suit is therefore unsustainable.

5. The Plaintiffs being in a position to ask for further relief with reference to the allegations in paras. 7 and 8 of the plaint and no such relief having been prayed for, the suit contravenes the provisions of Section 42 of the Specific Relief Act and is therefore unsustainable.

6. The Defendant denies the allegations in paras. 2 and 5 of the plaint, that he is a trustee of the Mutt or of its properties. He is the Matathipadhi or head of the *Ahobilum Mutt* which is exclusively a religious institution. As such Head, the 1st Defendant is ex-officio the Adhinakartar of some temples attached thereto and subject to its control.

7. This Defendant denies the allegations in para 6 of the plaint that " Mutt, according to usage, is Sishyathinam, i e , under the control of the disciples."

8

8. This Defendant denies that the disciples of the Mutt are "beneficiaries" of the Mutt, or are, by immemorial usage, governing the Mutt entitled as such to select a successor to the Jeership of the Mutt whenever there is, or is likely to be, a vacancy to the said office as alleged in para. 6 of the plaint.

9. He denies the allegations in paras. 7 and 9 of the plaint and avers that, according to the immemorial usage of the institution, each Jeer in office has the right to appoint his successor; such right of appointment being uncontrolled by the disciples or by any one else. He is not bound to consult the disciples. The office of Jeer being spiritual and succession to the said office being from Guru to disciple, the Jeer for the time being selects a proper person, gives him *Preshamantropadesam* and *Kashayam*. The person so selected and initiated becomes a Sanyasi and, on the death of the Jeer, succeeds to his office. The disciples have no voice in any of the facts aforesaid and have no right to question the same.

10. The disciples have no right to control the choice of Jeer or in any other manner interfere with it. This Defendant denies the allegations in para. 9 of the plaint that "the Jeer has no right independently of the disciples to appoint a successor to the office of the Jeership of the Mutt"

11. This Defendant was appointed to the office by his predecessor, the 38th Jeer under his Will dated, 7—5—1909, and not by the disciples ignoring the aforesaid Will. He denies that he accepted any appointment from the disciples of the Mutt as alleged untruly in para. 10 of the plaint.

12. This Defendant does not admit the correctness of the allegations in para. 11 of the plaint. When he was ill in September 1910, some of the disciples of the Mutt approached him in the matter of the appointment of a successor and suggested to him the names of 3 persons who might be thought of. In making the suggestion the disciples did not even profess to assert any right in the appointment of a successor nor did the 1st Defendant recognise any such right to them. The 1st Defendant informed them that he would take the suggestion into consideration when the necessity for the appointment of a successor arose and he would exercise his powers in accordance with usage and in the best interests of the institution.

13. The 1st Defendant recovered in 1910; he fell ill again in January 1913 and it became necessary to appoint a successor. The 2nd Defendant was appointed as his successor under his Will, dated 19—1—13; subsequently the 2nd Defendant was given the

*Mantropadesa* and *Kashayam* on the 20th January 1911 and a *Srimukham* was also given to him in proof thereof. He became a Sanyasi on the 14th April 1913 and has, since that date, become lawfully entitled to succeed to the 1st Defendant; and he has been participating and co-operating with the 1st Defendant in the discharge of the duties of the office and managing the properties thereto attached under the 1st Defendant's direction and guidance, and another *Srimukham* was given to him in token thereof.

14. The 2nd Defendant is a learned and pious personage, well-versed in all traditions of the Mutt, and his appointment which, as a matter of fact, was made with the knowledge and consent of a large body of disciples who happened to be present, even assuming that such consent was necessary according to usage, has given immense satisfaction to the general body of disciples.

15. This Defendant denies the allegations in para. 14 of the plaint.

16. The allegations in para. 15 of the plaint are incorrect. The 2nd Defendant's appointment has become complete by his becoming a Sanyasi even before this Suit and before this Defendant had any reason to know anything about it.

17. The plaint is not properly valued.

18. The Plaintiffs are not entitled to any of the reliefs claimed.

19. The Suit, as framed, is unsustainable.

20. The 1st Defendant therefore prays that the Plaintiff's Suit may be dismissed with costs.

Diary No. of letter replied to 1132

General and Revenue Secretariat

( )  
the 191 .

Date of issue 26.1.1914

Signed by Mr. G. Aravamudan

as we  
already passed an order about the  
nomination of the future  
Successor to the Sri Mohala  
Matt, they do not consider  
it necessary to revise it  
now

File No. 293

Serial No. 19

No. 1872

(10)

To

The General Secretaries,  
Sri Mohala Matt Sishya Sabha,  
Chittoor

Sir,

I am directed to acknowledge  
the receipt of your letter  
dated 12<sup>th</sup> December 1913  
requesting that ~~the~~ <sup>the</sup> ~~pending disposal~~ <sup>determination</sup>  
of the suit filed in the  
Sub-judge's Court at Nega  
patam, the appointment of  
Brahmasri Ayyamachariar  
as future ~~successor~~ <sup>successor</sup> to the  
~~High Priestship~~ of the Matt

over.

SUBJECT.

(11)

may not be recognized by  
the Mysore Govt., and to state  
that as this Govt. has  
already passed an order  
in the matter, they do not  
consider it necessary to  
revise it at this stage.

I have to

be  
19.1.14

(Dbb) am  
17.1.14  
for Secretary  
C's order

List of enclosures.

Copied by HR  
Examined by 24/1